

## REMARKS

Applicant has studied the Office Action dated March 25, 2011. Claims 1, 2, 5, 6, 9, 10, 12, 13, 22-28, and 31 are pending. Claims 1 and 27 have been amended to more clearly claim disclosed embodiments and claims 29 and 30 have been canceled without prejudice. Claim 1 is the only independent claim. No Previously presented matter has been added as the amendments have support in the specification as originally filed.

It is submitted that the application, as amended, is in condition for allowance. Reconsideration is respectfully requested.

### Interview Summary

Applicant gratefully acknowledges the telephonic interview with the Examiner conducted on April 1, 2011. Applicant has attempted to address the issues raised by the Examiner in the interview with this response. The Examiner's comments and explanations were helpful and very much appreciated. Pursuant to MPEP § 713.04, Applicant provides the following remarks.

The Examiner was provided with a draft response to the Office Action of March 25, 2011 before the interview. The position set forth during the interview was essentially that which is set out in the present response.

The Examiner acknowledged Applicant's position, and agreed that the Applicant's arguments were found persuasive. Further, the Examiner suggested submitting an English translation of the entirety of the original foreign priority document. The Examiner's attention to this application is gratefully acknowledged.

### Objection to Specification and Amendments to Specification

The Examiner objected to the specification and asserted that the title of the invention is not descriptive. The title of the invention has been amended to address the Examiner's concerns.

On page 5 of the Office Action, the Examiner asserted that the specification of the domestically filed application must be amended to change the phraseology of "fulcrum stone" to hematite in accordance with the certified translation of the foreign

priority document. Amendments have been made to the specification as suggested by the Examiner. Further amendments have been made to the specification in accordance with the amendments to the drawing discussed below. Accordingly, no new matter has been added.

It is, therefore, respectfully submitted that the grounds for objection have been overcome. It is respectfully requested that the Examiner withdraw the objection.

#### Objection to Drawings and Amendments to Drawing

The Examiner objected to the drawings. Specifically, the Examiner asserted that the drawings fail to show “the protective suit is connected to the plurality of herb essence suppliers via hose’ as described in the specification and Claim 29” and the “upper cover includes a plurality of protrusions’ described in the specification and Claim 31.”

With this paper, amended Fig. 1a has been submitted that shows the above identified features indicated by the Examiner. No new matter has been added to the drawings. It is respectfully submitted that the grounds for objection have been overcome and it is respectfully requested that the Examiner withdraw the objection.

#### § 112 Rejections

The Examiner rejected claims 1 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement and the enablement requirement. The Examiner asserted that the claims contain subject matter which was not described in the specification in such a way as to reasonable convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention and to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make an/or use the invention. The Examiner further asserted that the claims must recite all five substances, including the “fulcrum stone,” as well as the originally claimed ranges.

The Examiner stated, on page 20 of the Office Action, that the rejection under 35 USC 112 First Paragraph with regard to the “five primary substance stone” comprising a

“mixture of powders of ....” as recited in the amendment presented in the response filed on April 6, 2010 has been withdrawn. The Examiner acknowledged, on page 4 of the Office Action, that a mistranslation of the foreign priority document can be corrected in response to Applicant’s assertion that the phrase “fulcrum stone” is more accurately translated as “hematite” based upon incorporation by reference of the foreign priority document, Korean application 2001-22428, as presented in the response filed on April 6, 2010. The Examiner suggested submission of an English translation of the entirety of the original foreign priority document, as well as an accompanying declaration by the translator asserting that the accompanying translation is accurate and correctly translated to the best of his/her abilities.

Applicant notes, according to MPEP 201.13 II.G, the incorporation by reference statement can be relied upon to permit the entering of a portion of the foreign priority application into the U.S. application when a portion of the foreign priority application has been inadvertently omitted from the U.S. application, or to permit the correction of translation error in the U.S. application where the foreign priority application is in a non-English language. According to MPEP 201.13, submitted herewith is an English translation of the foreign priority document and a statement that the translation of the certified copy is accurate as suggested by the Examiner.

It is noted that “hematite” is disclosed in the English translation instead of “fulcrum stone” which is an incorrect translation of the Korean word “대저석” disclosed in the specification of Korean application 2001-22428. Korean application 2001-22428 also discloses a Chinese name “代赭石” corresponding to the “fulcrum stone.” Applicant submits that a more accurate English translation of the Korean word “대저석” is hematite or haematite, also known as “Dai country red stone.”

It is respectfully submitted that the grounds for the rejection have been overcome and it is respectfully requested that the Examiner withdraw the rejection.

#### § 103 Rejections

Claims 1, 5, 22, and 26-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Daffer (US 6,497,717) in view of Kjonaas (U.S. 6,745,422), Fujino

(US 4,680,822), Shimiz (US 5,880,044), Jung (US 6,108,581), Ardizzone (US 6,666,813), Docter (US 6,143,946), Reiche (*Heat induced transformation of fossil mastodon ivory into turquoise 'odontolite'. Structural and elemental characteristics*), Park (US 6,272,697), Wege (US 5,425,753), and Han (US 3,946,733), Shiu (US 4,203,438), and Sakurai (Japanese Patent No. H-06-181878). Claims 2, 6, 9, 10, 12, 13, 23-25, and 31 were rejected over the above identified references in view of additional references. These rejections are respectfully traversed.

With this paper, claims 29 and 30 have been canceled without prejudice. It is, therefore, respectfully submitted that the rejection is moot with respect to claims 29 and 30 and it is respectfully requested that the rejection be withdrawn.

With regard to the rejection of claims 27-29, the Examiner noted that the "suit is not positively required part of the claimed workpiece, only the capability of the device to accommodate such a suit." Further, it is noted that the Examiner indicated, on page 21 of the Office Action, that claim 29 recites subject matter, which if positively requiring the protective suit operatively connected to the herb essence suppliers via a hose and remedying the issues with the claims under 35 USC 112, would be allowable if rewritten in independent form. To expedite prosecution of the instant application, independent claim 1 has been amended by incorporating the indicated allowable subject matter of its dependent claim 29, as suggested by the Examiner.

Accordingly, it is respectfully asserted that independent claim 1 and its dependent claims are allowable over the cited combination of references. It is respectfully requested that the rejection be withdrawn.

### CONCLUSION

In view of the above remarks, Applicant submits that all pending claims of the present application are in condition for allowance. Reconsideration of the application, as originally filed, are requested.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned agent at the Los Angeles, California telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

LEE, HONG, DEGERMAN, KANG & WAIMEY

Date: April 1, 2011

By: /Harry S. Lee/  
Harry S. Lee  
Registration No. 56,814

Customer No. 035884

Enclosure: 1. Replacement sheet for FIG. 1a; and  
2. English translation of entirety of the original foreign priority document and accompanying statement certifying accuracy of the English translation.